



Attorney Docket No. MI 6054

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Franco SARTORI, et al.

Serial No.: 10/529,022

Group Art Unit: 4145

Filed: March 24, 2005

Examiner: A.C. SYKES

For: **POLYPROPYLENE FIBRES SUITABLE FOR SPUNBONDED NON-WOVEN
FABRICS**

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated March 20, 2008. The one-month shortened statutory period for response was set to expire on April, 20, 2008. A petition for a one-month extension of time accompanies this response. Thus, this response is timely filed.

SUMMARY OF RESTRICTION REQUIREMENT

Invention Groups. The Examiner has required restriction of claims 1-10 to a single invention under 37 C.F.R. 1.499. As the basis for this restriction requirement, the Official Action states the following:

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a

single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-4 and 9, drawn to fiber and fabric.

Group II, claim(s) 5, drawn to a melt spin process for the production of a fiber.

Group III, claim(s) 6-7, 8, 10, drawn to a composition and process of making a composition.

The inventions listed as Groups I and III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

- a special technical feature of Group I is: a fiber for spunbonded non-woven fabrics comprising a propylene composition (A) having an MFR value (MFR(1)) from 6 to 150 g/10 min, said feature is missing from Groups II and III.

- a special technical feature of Group II is: a crystalline propylene random copolymer or a crystalline propylene polymer composition wherein said copolymer or composition having a MFR value (MFR(1)) and being obtained by way of chemical degradation of a precursor polymer composition (B) having MFR (2) values of from 0.5 to 50 g/10min, provided that the ratio of MFR (1) to MFR (2) is from 1.5 to 60, and said feature is not required by Group I and II.

- a special technical feature of Group III is: a process for the preparation of a crystalline propylene random copolymer or a crystalline propylene polymer composition having a MFR value (MFR (1)) wherein the process comprises preparing the precursor polymer composition (B) by polymerizing the monomers in one or more sequential stages, operating in each stage in the presence of the polymer formed and the catalyst used in the preceding stage, and dosing a molecular weight regulator in such

amounts as to obtain an MFR (2) value for the precursor polymer composition (B) of from 0.5 to 50 g/10 min, and said feature is missing from Groups I and II.

PROVISIONAL ELECTION

Applicant provisionally elects Group I drawn to a fibre and fabric. Applicant believes claims 1 - 4 and 9 are readable on the elected invention.

TRAVERSAL

Applicant respectfully traverses the Examiner's restriction requirement. In particular, Applicant traverses the Examiner's contention that pending claims 1-10 lack a single inventive concept under PCT Rule 13.1. In fact, all of Applicant's currently pending claims recite, at least in part, component i) and/or component ii).

In view of the foregoing, Applicant respectfully requests the Examiner to reconsider and withdraw the restriction requirement, and to examine all of the claims pending in this application. If the Examiner has any questions or comments regarding this matter, the Examiner is welcomed to contact the undersigned practitioner at the below-listed number and address.

Respectfully submitted,

Serial No.: 10/529,022

By: _____

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on April 24, 2008

Signature _____

Date _____

April 24 2008